

FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

AUG 21 2002

OFFICE OF
MANAGING DIRECTOR

86-235

John C. Thomas
President and General Manager
J4 Broadcasting of Cincinnati, Inc
3540 Reading Road
Cincinnati, Ohio 45229

Re: Request for Waiver of FY 2000
Regulatory Fee
Fee Control No. 00000RROG-02-054
Bill No. 20009MB044

Dear Mr. Thomas:

This letter responds to your request for relief regarding the regulatory fee for Fiscal Year (FY) 2000 filed with respect to AM station WCIN, Cincinnati, Ohio.

You recite that you received a final demand for payment from the Commission dated May 10, 2002, referencing a bill in the total amount of \$2781.25, which includes a 25% penalty for late payment of the FY 2000 regulatory fee. You state that WCIN is experiencing financial hardship as a result of declining listenership and revenue. In support of your claim of hardship, you submit copies of the station's financial statements for 2000 and 2001.

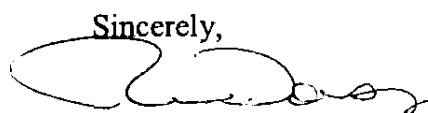
In establishing a regulatory fee program, the Commission recognized that in certain instances payment of a regulatory fee may impose an undue financial hardship upon a licensee. The Commission therefore decided to grant waivers or reductions of its regulatory fees in those instances where a "petitioner presents a compelling case of financial hardship." See Implementation of Section 9 of the Communications Act, 9 FCC Rcd 5333,5346 (1994), recon. granted, 10FCC Rcd 12759 (1995).

In determining whether a licensee has sufficient revenues to pay its regulatory fees, the Commission relies upon a licensee's cash flow, **as** opposed to the entity's profits. Thus, although deductions for amortization and depreciation, which do not affect cash flow, and payments to principals, reduce gross income for tax purposes, those deductions also represent money which is considered to be available to pay the regulatory fee.

Our review of your financial documentation shows that the station suffered a net **loss** of over \$123,000 in 2000 and that its financial loss did not appear to result from payments to principals or depreciation expense. Therefore, we conclude that you have presented a compelling case of financial hardship and hereby waive WCIN's regulatory fee due for Fiscal year 2000 for WCIN-AM and we will cancel bill # 2009MB0444.

If you have any questions concerning this letter, please contact the Revenue **and** Receivable Operation Group at (202) 418-1995.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark A. Reger', written over a horizontal line.

 **Mark A. Reger**
Chief Financial Officer

000008ROU-02-054



THE PULSE OF THE CITY

WWW.1480WCIN.COM

2002 JUN 13 P 3:12

PROCESSING
UNIT

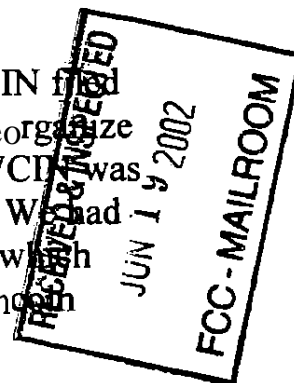
Ms. Claudette E. Pride
Acting Chief
Revenue & Receivables Operations Group
Federal Communications Commission
445 12th Street, S.W., Room 1A820
Washington, DC 20554

Re: 2000-9MB-0444

Dear Ms. Pride:

I am writing in response to your final demand letter for a bill that was issued by the FCC.

WCIN has and still is experiencing financial hardship. In 1998, WCIN filed for bankruptcy under Chapter 11. This action permitted the station to reorganize and start on a fairly good growth path. From 1998 until mid 2000 WCIN was positioned as the radio station in the African American community. We had the best programming starting with the Tom Joyner Morning Show which was followed by a local talk show hosted by a 20 year employee Lincoln Ware.



In June 2000, the company's financial trend started to reverse. On June 5, 2000, someone or a group of people toppled on of WCIN's towers (see Exhibit A). In July 2000 WCIN had the good fortune of hosting Tom Joyner's Sky Show here in Cincinnati. However, the Monday after the Sky Show, I found out by happenstance that Lincoln Ware had signed an agreement to work for Blue Chip Broadcasting, which had recently purchased an AM. **Blue Chip had devised a plan to raid WCIN and take WCIN's best programs (see Exhibit B).** In July 2000 we lost Lincoln Ware and in September we lost the Tom Joyner Morning Show.

When those two shows left WCIN, more than have of our audience migrated to the other radio station with them. A large majority of our advertisers

3540 Reading Road
Cincinnati, Ohio 4522
(513) 281-7180
(513) 281-6125 Fax

Rec'd 7-1-02
V.P.



THE PULSE OF THE CITY

WWW.1480WCIN.COM

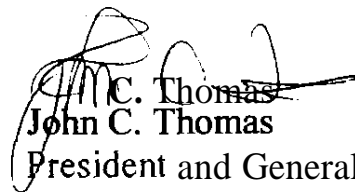
stopped advertising because of the decline in listenership and a lack of confidence in WCIN's ability to survive the damage done by Blue **Chip**.

With the decline in listenership and revenue, WCIN did not have the resources to hire proven talent to replace the lost talent. *So* 2001 proved to be a horrible year in terms of revenue. The station's revenue in 2001 declined 40% from \$1,000,000 in 2000 too slightly over \$600,000. I have attached copies of the stations financial statements for your review.

Ms. Pride, I would love to pay the entire \$2,500 + fee at one time, but it is extremely difficult at this time. **If** some kind of payment arrangement can be established, I could make efforts over a period of time to extinguish the outstanding obligation.

Thank you for your patience and understanding.

Sincerely,


John C. Thomas
President and General Manager

3540 Reading Road
Cincinnati, Ohio 4522
(513) 281-7180
(513) 281-6125 Fax

FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C. 20554

MAY 10 2002

MANAGING DIRECTOR

J4 BROADCASTING OF CINCINNATI, INC
3540 READING ROAD
CINCINNATI, OH 45229

Re: 2000-9MB-0444

Dear Licensee:

This letter is a final demand for payment in reference to a bill that was issued by the Federal Communications Commission that remains unpaid. The enclosed billing document indicates the reason for this bill. Your account is seriously past due and requires immediate attention.

You are cautioned that failure to respond and/or pay this debt **will** subject you to sanctions as defined by 31 U.S.C. §3717 and 4 C.F.R. Part 102. The Debt Collection Improvement Act of 1996 as amended gave Federal Government agencies the authority to report and refer delinquent debts to the U.S. Treasury Department for further collection action. If payment is not received within 30 days from the date of this letter, your account will be assessed further penalties, which can be as high as 11 percent, and referred to the U.S. Treasury for collection. Please mail your payment along with a copy of the enclosed bill to the following address:

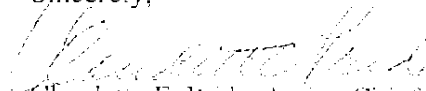
Federal Communications Commission
P.O. Box 358335
Pittsburgh, PA 15251-5835

If you have any documentation that will establish that the debt was paid, such as a canceled check, or any other supporting information, please submit this information along with a copy of this letter. *You* may provide any documentation that **will** support a claim of financial hardship. Such information as profit and loss statements can be used in these instances. Your documentation and/or remittance must **be** mailed to the Federal Communications Commission along with a copy of the enclosed bill to the following address:

Federal Communications Commission
Attn: Revenue and Receivables Operations Group
445 12th Street, S.W., Room 1A820
Washington, DC 20554

If you have any questions, please contact the Revenue & Receivables Operations Group at (202) 418-1995.

Sincerely,


Claudette E. Pride, Acting Chief
Revenue & Receivables Operations Group

Enclosures

Exhibit A

**NEWS**

Front Page
Local
sports
‣ Bengals
‣ Reds
‣ Bearcats
‣ Xavier
Business
Health
Technology
Weather
Traffic
Back
Issues
Photographs
AP Wire
‣ World
‣ Nation
‣ **sports**
‣ Business
‣ **Arts**
‣ Health

CLASSIFIEDS

Jobs
Autos
General
Obits
Homes

FREETIME!

Movies
Dining
Calendars
Weekend

OPINION

Columns



Same Great News for half the price!



ENQUIRER LOCAL NEWS COVERAGE

Monday, June 05, 2000

Vandals knock WCIN off air

By Cindi **Andrews**
The Cincinnati Enquirer

Vandals knocked radio station WCIN-AM (1480) — home of R&B oldies and talk — off the air early Sunday.

"My gut tells me that it's random," station owner John Thomas said. "My heart hopes it is."



Owner John Thomas surveys damage to a 125-foot antenna. (Michael E. Keating photo)
| [ZOOM](#) |

The overnight **DJ** spotted the problem when the music quit playing over speakers at the station.

It's the second time in several months that WCIN's 11-acre transmission site near Drake Hospital in Hartwell was vandalized, Mr. Thomas said.

This time, vandals turned off electricity — taking WCIN off the air for more than two hours — and broke into the transmitter building.

They also detached a guy wire

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supporting one of WCIN's five 125-foot antennas, toppling it. Mr. Thomas estimated it will cost \$30,000 to \$50,000 to replace the bent tower.

"Both times it was like they had a party — there were beer cans everywhere," Mr. Thomas said. It was the same brand of beer both times.

However, Mr. Thomas does not think WCIN — a 46-year-old station that's a force in Cincinnati's black community — has been targeted intentionally.

Three local TV stations have satellite dishes on adjacent land with more secure anchors and fencing. **Also**, no sign identifies the tower as WCIN's.

Electricity was turned off at meters outside the transmitter building, resulting in dead air from about midnight to 2:30 a.m., when the station engineer got power restored, Mr. Thomas said.

During the earlier incident, the vandals broke the electric meters and tried unsuccessfully to get into the building.

Cincinnati police responded to WCIN's call, but no one available Sunday could say whether there is an investigation.

Retiring teachers share memories
New highway spurs speeders
New road closures begin today
Cicada's life short, sweet

Exhibit B



NEWS

Front Page

Local

sports

▸ Bengals

▸ Reds

▸ Bearcats

▸ Xavier

Business

Health

Technology

Weather

Traffic

Back

Issues

Photographs

AP Wire

▸ World

▸ Nation

▸ sports

▸ Business

▸ Arts

▸ Health

CLASSIFIEDS

Jobs

Autos

General

Obits

Homes

FREETIME!

Movies

Dining

Calendars

Weekend

OPINION

Columns



Same Great News for half the price!



ENQUIRER LOCAL NEWS COVERAGE

Monday, August 21, 2000

WCIN GM protesting lost programming

By John Kiesewetter
The Cincinnati Enquirer

Forget about that TV show. WCIN-AM General Manager John Thomas is truly a survivor, but his torch could be extinguished soon.

WCIN-AM (1480), an independent AM station in a market dominated by big conglomerates, has lost eight hours of weekday programming — ABC's *Tom Joyner Show* and talk host Lincoln Ware — to rival Blue Chip Broadcasting.

Mr. Ware, a 20-year WCIN-AM veteran, and *Joyner* are expected to be the cornerstones of WUBE-AM (1230), which Blue Chip is buying from Clear Channel to be a sister station for WIZF-FM (100.9). ABC has told Mr. Thomas he will lose *Tom Joyner* (6-10 a.m.) when the contract expires Sept. 14.

"I'm going to fight it all the way," says Mr. Thomas, who has written the Federal Communications Commission, the ABC Radio Network, and Walt Disney Co. which owns ABC.

Borgman

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Phone #'s
Search

WCIN-AM has broadcast an appeal to listeners asking them to protest the **Joyner** move by contacting Darryl Brown, ABC Radio Network executive vice president in Dallas. (Phone: (972) 776-4618; e-mail: dbrown@abc.com)

"I told ABC that they are assisting Blue Chip in trying to drive me out of business. That's what they're doing by taking eight hours of my most popular programming Monday through Friday," says Mr. Thomas, who took over WCIN-AM in 1992, when it was in receivership.

Mr. Thomas, an African-American, wrote to FCC Commission Chairman William Kennard because the FCC has been concerned "about the substantial decline in minority (broadcast) ownership" since the 1996 Telecommunications Act. He has not heard from Mr. Kennard.

Mr. Thomas knows he faces an uphill battle. Blue Chip stations air *Joyner* in Louisville and Lexington, and "The WIZ" recently added ABC's **Doug Banks** syndicated morning show.

"This is going to be a real fight," he says.

New show: ***Rapheal and the Black Tornado***, two frequent WCIN-AM talk show callers, have been hired to replace Mr. Ware starting 10 a.m.-2 p.m. today.

Rapheal Adams "loves talk radio" and has called many Tristate talk shows, Mr. Thomas says.

Clarence E. Stephens, who is retired, has identified himself as "The Black Tornado" for years when calling WCIN-AM shows, Mr. Thomas says.

They were selected from 85 people who responded to an open audition call earlier this month, after Mr. Ware resigned.

Kiese-watching: Channel 9 considered suing Hamilton County and the Bengals for their denial to broadcast live from inside Paul Brown Stadium for the station's 8-9 p.m. special last Friday, says Scott Diener, Channel 9 news director.

County and Bengals officials refused to let Channel 9 broadcast from various locations inside the stadium because the show included a three-minute piece by investigative reporter Laure Quinlivan, he says.

Channel 9 and Ms. Quinlivan received a national Peabody Award for "courageous local investigations of fraud ... in the (stadium) construction" in May.

The station ultimately decided not to sue. So John Popovich and Clyde Gray anchored the show from the plaza outside the stadium.

Talk show highlights: "Confessions of infidelity" on *Forgive or Forget* (9 a.m., Channel 19); "Out of control parents" on *Jenny Jones* (10 a.m., Channel 64); and "Dad wants to marry my daughter" on *Jerry Springer* (11 a.m., Channel 5).

WLW news: WLW-AM (700) dropped